

Legal Alerts

New Jersey Takes Action on Forever Chemicals in Consumer Products

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On January 12, 2026, New Jersey Governor, Phil Murphy, signed [Senate Bill 1042](#), the Protecting Against Forever Chemicals Act, which establishes requirements, prohibitions and programs for regulation of perfluoroalkyl and polyfluoroalkyl substances (PFAS). The Act establishes new requirements for food packaging and cosmetic products, requires greater transparency in the labeling of cookware products containing PFAS, establishes a source reduction program concerning PFAS management and appropriates funds for PFAS-related research.

PFAS consist of carbon-fluorine bonds that are resistant to degradation under typical environmental conditions. As a result, PFAS have been nicknamed "forever chemicals," because they tend to accumulate in the environment rather than break down over time. PFAS typically enter the environment through manufacturing processes and waste streams. Humans may be exposed to PFAS through food, dust, air, drinking water and certain consumer products. Some research indicates that exposure may be associated with endocrine disruption, cancer, immunotoxicity and adverse developmental effects.

Covered Products and Sales Prohibitions

Beginning January 12, 2028, the Act will prohibit the offer for sale, distribution and sale of covered products that contain intentionally added PFAS, including: (i) food packaging, (ii) cosmetic products and (iii) carpet or fabric treatment products. PFAS are considered "intentionally added" if they are added to a product or intentionally used during the development of a product or one of its product components to provide a specific characteristic, appearance or quality. These restrictions will require companies to evaluate product formulations, component materials and supplier documentation for intentionally added PFAS.

PFAS Labeling and Online Disclosure Requirements for Cookware

Beginning January 12, 2028, the Act requires manufacturers of cookware sold in New Jersey to disclose the presence of PFAS when PFAS are intentionally added to either (i) the handle of the cookware product or (ii) any product surface that comes into contact with food. Cookware containing intentionally added PFAS may not be sold in New Jersey unless the manufacturer complies with these labeling requirements. The product label must include a statement in both English and Spanish that reads: "This product contains PFAS." This disclosure must also be visible and legible to consumers, including in any online product listing for the cookware.

Source Reduction Program and PFAS Research



The Act directs the New Jersey Department of Environmental Protection (DEP) to establish and implement a source reduction program by January 12, 2027, to reduce the presence of PFAS in the State's air, water and soil by encouraging the use of safer alternatives to PFAS. The Act will appropriate \$4.5 million to the DEP for the purposes of implementing the source reduction program and conducting PFAS-related research, monitoring and environmental testing, and \$500,000 to the Department of Law and Public Safety to support implementation of the Act.

If you have any questions about labeling requirements or need guidance on risk mitigation related to PFAS legislation, please contact Foster Garvey's [Business](#) team.

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